

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**LARRY ARCHULETA, as Personal
Representative for the Estate of Carlos
Archuleta, and on behalf of John Does A-J,
children of Carlos Archuleta, deceased.**

Plaintiff,

vs.

Case No.: 1:07-cv-00612-WDS-KBM

CITY OF ALBUQUERQUE, et al.

Defendants.

JUDGMENT

This matter was tried to an eight person jury. The jury informed the Court during deliberations that it was at an impasse with six members voting one way on liability (Jury Questions 1 and 2) and two members voting the other. The parties informed the Court that they were prepared to stipulate to a verdict on liability, in favor of the party that received the six jury votes. The parties also stipulated that should the verdict be in favor of the Plaintiff, the six members of the jury voting for the Plaintiff would be the panel which would determine damages.

The attorneys for the parties and the parties themselves were questioned by the Court on the record and all affirmatively indicated their agreement with this above stated procedure.

After determining that the jury was at an impasse, the Court informed the jury of the agreement between the parties to be bound by the vote of the six. The Court then polled the jury and determined that six jurors voted “No” on Juror Questions 1 and 2 and two jurors voted “Yes”.

In accordance with the stipulation of the parties set out above, the Jury’s verdict was in favor

of the Defendant and judgment is, therefore, entered in favor of Defendant. An award of costs, if any, will be determined at a later date.

A handwritten signature in black ink, appearing to read 'W. Daniel Schneider', is positioned above a horizontal line.

W. Daniel Schneider
United States Magistrate Judge